

HB5893



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5893

Introduced 2/10/2010, by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-4.1

from Ch. 23, par. 5-4.1

Amends the Medical Assistance Article of the Illinois Public Aid Code. Provides that to the extent permitted under federal law, co-payments for every prescription drug for which the Department of Healthcare and Family Services provides a reimbursement shall be subject to a minimum amount of no less than \$1.

LRB096 18835 KTG 34221 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Section 5-4.1 as follows:

6 (305 ILCS 5/5-4.1) (from Ch. 23, par. 5-4.1)

7 Sec. 5-4.1. Co-payments. The Department may by rule provide
8 that recipients under any Article of this Code shall pay a fee
9 as a co-payment for services. Co-payments may not exceed \$3 for
10 brand name drugs, \$1 for other pharmacy services other than for
11 generic drugs, and \$2 for physicians services, dental services,
12 optical services and supplies, chiropractic services, podiatry
13 services, and encounter rate clinic services. To the extent
14 permitted under federal law, co-payments for every
15 prescription drug for which the Department provides a
16 reimbursement shall be subject to a minimum amount of no less
17 than \$1. There shall be no co payment for generic drugs.
18 Co-payments may not exceed \$3 for hospital outpatient and
19 clinic services. Provided, however, that any such rule must
20 provide that no co-payment requirement can exist for renal
21 dialysis, radiation therapy, cancer chemotherapy, or insulin,
22 and other products necessary on a recurring basis, the absence
23 of which would be life threatening, or where co-payment

1 expenditures for required services and/or medications for
2 chronic diseases that the Illinois Department shall by rule
3 designate shall cause an extensive financial burden on the
4 recipient, and provided no co-payment shall exist for emergency
5 room encounters which are for medical emergencies.

6 (Source: P.A. 92-597, eff. 6-28-02; 93-593, eff. 8-25-03.)